

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

| | | |
|------------------------|---|---------------------------|
| ADHEZION, INC., |) | |
| Plaintiff, |) | |
| |) | No. 1:21-cv-138 |
| -v- |) | |
| |) | Honorable Paul L. Maloney |
| MELANIE GORDON WILSON, |) | |
| Defendant. |) | |
| |) | |

ORDER TO SHOW CAUSE

Plaintiff Adhezion, Inc., alleges that its former employee, Defendant Melanie Wilson, has breached her employment contract, appropriated trade secrets, and tortiously interfered with its business relationships (ECF No. 1-1). Adhezion filed a complaint against Wilson in state court alleging over \$25,000 in damages (*id.*). Wilson then invoked the procedures for removal to federal court under 28 U.S.C. §§ 1332, 1441, and 1446 (ECF No. 1).

After reviewing the Notice of Removal and attached exhibits, the Court finds a dearth of facts to support Wilson's assertion that Adhezion's damages will exceed the amount in controversy. Wilson's removal is entirely reliant on Adhezion's complaint, which contains no quantified damages.

Federal courts have an ongoing obligation to examine whether they have subject-matter jurisdiction and may raise the issue *sua sponte*. See, e.g., *Hertz Corp. v. Friend*, 559 U.S. 77, 94 (2010); *Arbaugh v. Y&H Corp.*, 546 U.S. 500, 506 (2006); *Wisconsin Dep't of Corr. v. Schacht*, 524 U.S. 381, 389 (1998). Under 28 U.S.C. §§ 1332(a), federal courts have original jurisdiction over civil actions where the amount in controversy exceeds \$75,000 and

the matter is between citizens of different states. “Where a plaintiff claims an unspecified amount in damages, a defendant seeking removal under diversity jurisdiction must demonstrate by a preponderance of the evidence that the amount in controversy exceeds the statutory threshold.” *Naji v. Lincoln*, 665 F.App’x 397, 400 (6th Cir. 2016).

The Court is not satisfied that the record establishes jurisdiction. Adhezion has adequately pleaded diversity but does not seek a specific amount of damages. Wilson has provided no facts to support an inference that the amount in controversy is over \$75,000, instead relying completely on Adhezion’s allegations that Wilson improperly interfered with Adhezion’s customer relationships. Neither party has alleged or shown that these damages total over \$75,000.

Therefore, the Court **ORDERS** Wilson to **SHOW CAUSE** on or before March 12, 2021, why this case exceeds the jurisdictional threshold.

IT IS SO ORDERED.

Date: February 12, 2021

/s/ Paul L. Maloney
Paul L. Maloney
United States District Judge